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Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAKOTAH RAY HORTON,

Defendant.

Case No. 3:20-cr-00419-SI

**UNOPPOSED MOTION TO
CONTINUE TRIAL**

NOW COMES Dakotah Ray Horton, through his attorney, Gerald M. Needham, and moves to continue the presently scheduled trial date of November 17, 2020, to February 9, 2021, or a date thereafter convenient to the Court. This motion is unopposed by the government. November 17, 2020, is the first trial setting.

Mr. Horton has been charged by way of Information for one count of Assault on a Federal Officer in violation of 18 U.S.C. § 111(a)(1) and (b). He is currently in custody waiting release to an inpatient treatment program. He specifically authorized counsel to represent he consents to the continuance with the knowledge that the timeframe is excludable under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A).

Defense counsel is in need of additional time to conduct legal research, locate potential exculpatory evidence, review discovery materials with the defendant, determine what pretrial motions, if any, need be filed, and otherwise properly prepare for trial.

Assistant United States Attorney Leah Bolstad has authorized counsel to represent the government has no objection to the requested continuance.

Based on the aforementioned, counsel moves to continue the trial of November 17, 2020, to February 9, 2021, or a date thereafter convenient to the Court. The timeframe of the requested continuance is excludable from Speedy Trial computations pursuant to 18 U.S.C. § 3161(h)(7)(A), as additional time is required for pretrial investigation and trial preparation and the ends of justice served by the granting of the continuance outweigh the interests of the public and the defendant in a speedier trial.

Respectfully submitted on November 10, 2020.

/s/ Gerald M. Needham

Gerald M. Needham

Assistant Federal Public Defender